



Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 3 August 2021

Appeal ref: APP/D1265/C/20/3265870

Land at Camelot, The Green, Puddletown, Dorchester, Dorset, DT2 8SN

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Mr P Jonathan Bugler against an enforcement notice issued by Dorset Council.
- The notice was issued on 23 November 2020.
- The breach of planning control as alleged in the notice is "Without planning permission:- a. the unauthorised use of a building on the Land (the building) of which the lawful use is as a retail shop, for storage purposes; and b. the use of the shop forecourt and associated external areas of the Land for the storage of vehicles, trailers, containers, vehicle parts, and metal and other items of scrap materials".
- The requirements of the notice are: "(i) Permanently cease using the Land for storage and deposit of vehicles, trailers, containers, vehicle parts, scrap metal boxes, electrical items, discarded items, and other sundry items. (ii) Permanently remove from the Land all vehicles, trailers, containers, vehicle parts, scrap metal, boxes, electrical items, discarded items, and other sundry items from the Land. (iii) Permanently remove all stored items associated with the unauthorised storage use from within the Building. (iv) Permanently remove any debris from the Land resulting in carrying out requirements (i)-(iii) above. (v) Permanently cease the importation and deposit of vehicles, trailers, containers, vehicle parts, scrap metal, boxes, electrical items, and discarded items onto the Land". The time period for compliance with the notice is: "Within 2 months from the date the Notice takes effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The main basis of the appellant's case is that due to the COVID restrictions and personal circumstances, such as being made redundant from his employment, it has been difficult for him to arrange to carry out the required works in order to comply with the requirements of the notice. He therefore requests that the compliance period be extended to 1 year. However, I note that since the appeal was submitted the Council agreed to a request from the appellant to extend the compliance period to 31 July 2021, yet the appeal has not been withdrawn. I also note that the appellant has since found new employment and the COVID restrictions have been significantly relaxed. I am also mindful that some 7 months have elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, the appellant will effectively have had some 9 months in which to

carry out the required works, which is some 2 months longer than the requested deadline of 31 July 2021.

2. In these circumstances, there does not appear to be any good reason to extend the compliance period further. The ground (g) appeal fails accordingly.

Formal decision

3. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee